

File No: 5575-1A IF/MO'H

Ottawa, Canada.
23 December 1994

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:

MICHEL PHILIPPE

For: INSULATING CONSTRUCTION PANEL OR BLOCK

Serial No: 08/195,107⁰¹⁷✓

Filed: February 14, 1994

Examiner: W. Yip

Art Unit: 3504

Hon. Commissioner of Patents
& Trademarks
Washington, D.C. 20231
U.S.A.

Sir:

In response to the Office Action dated October 7, 1994, would the Office kindly amend the above-identified application as follows:

IN THE DISCLOSURE:

Please amend disclosure page 11, line 18, to correct "grooves 30" to --projections 30--.

IN THE CLAIMS:

Please amend claim 1 to read as follows:

--1. (Once Amended) In an insulating construction member having top and bottom edges and interconnecting means on said top and bottom edges, the improvement wherein said interconnecting means comprise at least two rows of alternating projections and recesses; said projections and recesses being of substantially the same dimension, wherein ~~a~~ ^{said} recess of one row is adjacent ~~a~~ ^{said} projection of the other row.

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cont'd
and wherein said interconnecting means on said top and bottom edges are ~~symmetrically~~ ^{*Offset*} arranged whereby said insulating construction member can be interconnected with a like member in a bi-directional or reversible manner.

[Please amend claim 4 as follows:

~~--1--~~ ^{*Offset*}. (Once Amended) An insulating construction block comprising:

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B
a pair of substantially parallel side members having top and bottom edges;
joining means interconnecting said side members;
interconnecting means on said top and bottom edges, said interconnecting means including at least two ~~[one]~~ rows of alternating projections and recesses ^{*said*} ~~wherein a recess of one row is adjacent a projection of the other row~~, ^{*said*} said projections and recesses having substantially the same dimensions;

Ans.
C2
wherein the interconnecting means on said top and bottom edges are substantially ~~symmetrically~~ ^{*Offset*} arranged whereby said construction block can be interlocked with a like block in a bi-directional or reversible manner.

[Please cancel claims 6 and 7. ✓ ✓

[Please amend claims 8 and 9, line 2, to change "6" to --1--. ✓ ✓

Please cancel claims 14 and 15.

Please amend claim 17 as follows:

A³
--17. (Once Amended) An insulating construction block according to claim 4, wherein said [web means] joining means is a web [permit adjustability of a distance between said side members].--

Please add new claims 21 and 22 as follows:

Sub B
A⁴
--21. In an insulating construction member having top and bottom edges and interconnecting means on said top and bottom edges, the improvement wherein said interconnecting means comprises at least two rows of alternating projections and recesses, said projections and recesses being of substantially the same dimension, and an intermediate raised sealing member positioned between said rows of alternating projections and recesses, and wherein said interconnecting means on said top and bottom edges are symmetrically arranged whereby said insulating construction member can be interconnected with a like member in a bi-directional or reversible manner.--

--22. In an insulating construction member having top and bottom edges and interconnecting means on said top and bottom edges, the improvement wherein said

interconnecting means comprise at least two rows of alternating projections and recesses, said projections and recesses being of substantially the same dimension, and a raised sealing member positioned adjacent to said rows of alternating projections and recesses, and wherein said interconnecting means on said top and bottom edges are symmetrically arranged whereby said insulating construction member can be interconnected with a like member in a bi-directional or reversible manner.--

R E M A R K S

Claims 1 to 5, 8 to 13 and 16 to 22 are in the case.

In the Action, the Examiner has objected to the drawings in paragraph 1 of the Action. Applicant has taken this opportunity to delete previous claims 14 and 15 from the application. Claim 14 recited the features of the "at least one tapering wall" whereas claim 15 (not claim 16 as noted in the Action) recited the feature of the "conical configuration". As these claims have now been deleted from the application, Applicant believes that the Examiner's drawing objection is overcome.

The Examiner has further objected to the drawings in paragraph 2 of the Action. In view of this rejection, the feature of the "web permitting adjustability of a distance between insulating construction members" has been deleted from claim 17 and thus the Examiner's drawing objection on

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this point is overcome.

The Examiner's objection to the specification under 35 U.S.C. SS112 (paragraph 3), is also believed overcome as the feature of the web permitting adjustability has been deleted from the claims.

The error noted for disclosure page 11, line 18, (paragraph 4 of the Action) has been amended; i.e. "grooves 30" has been amended to read --projections 30--.

As claim 17 has been amended to delete the feature of the web permitting adjustability, the Examiner's rejection of claim 17 under 35 U.S.C. SS112 (paragraph 5 of Action) has been overcome.

Looking at paragraph 6 of the Action and the Examiner's objection to claims 1 and 4, Applicant comments as follows. The use of the term "bi-directional" in the present application is intended to mean in either direction longitudinally whereas the term "reversible" is intended to mean top to bottom, or top to top; i.e. the insulating members can be interconnected top to bottom or bottom to top as well as in either direction along the longitudinal axis.

With respect to the Examiner's objection to claim 17 due to the lack of antecedent for "said web means"; the amendment to this claim overcomes this objection.

In the Action, the Examiner has applied two references, namely Beliveau '446 and Horobin '969 and has rejected various of the claims in view of these references (paragraphs 8 and 9 of the Action). In paragraph 10 of the

Action. the Examiner indicates that claims 7 to 9 contain allowable subject matter over the references cited and would be allowed if rewritten in independent form.

In view of the above, Applicant has taken this opportunity to amend claim 1 to include the subject matter of previous claims 6 and 7 therein; previous claims 6 and 7 have thus been deleted as redundant. As claims 2 to 5, 8 to 13 and 16 to 20, in their amended form, all depend either directly or indirectly from amended claim 1, Applicant submits that these claims are also in good order and overcome the references cited.

New claims 21 and 22 have been added to the application and these new claims basically correspond to previous claims 8 and 9 re-written in an independent form. As the Examiner has indicated that such claims would be allowable, Applicant submits that new claims 21 and 22 are also allowable over the references cited.

The prior art made of record, but not relied on by the Examiner, has been noted.

Applicant believes that this application is now in condition for allowance and early action to this end is earnestly solicited.

Respectfully submitted,

BY: 

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In re Application of:

Serial No.: MICHEL PHILIPPE
Filed: 08/195, #07 017
Title: February 14, 1994
INSULATING CONSTRUCTION
PANEL OR BLOCK
Examiner: W. YIP
Art Unit: 3504
Attorney Docket: 5575-1A
RESPONSE/AMENDMENT/LETTER

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Honourable Commissioner of Patents & Trademarks
Washington, D.C. 20231

Dear Sir:

This is a Response/Amendment/Letter in the above-identified application and includes an attachment of the same date and subject which is incorporated herein by reference. The signature below is to be treated as the signature to the attachment in the absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid for	Present Extra	Add'l Fee
Total Claims	* 18	** 20	= 0	x \$22
Independent Claims	4	*** 3	= 1	x \$76
				\$ NIL
				\$ 76.00

If the entry in this space is less than entry in ** space, the "present extra" result is "0".

If the "highest number previously paid for" in this space is less than 20, write "20" in this space.

If the "highest number previously paid for" in this space is less than 3, write "3" in this space.

If amendment enters proper multiple dependent claim(s) into this application for the first time, add \$240.00.

\$ N/A

Since an Official Action set an original due date of _____, petition is hereby made for an extension to cover the date this Response is filed for which the requisite fee is enclosed:

- ☐ within first month \$110.00 ☐ within second month \$370.00
☐ within third month \$870.00 ☐ within fourth month \$1,360.00

\$ N/A

If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee of \$110.00

\$ N/A

SUBTOTAL: \$ 76.00

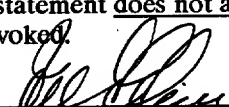
If Small Entity Verified Statement filed ☒ previously, ☐ herewith,
enter one-half (1/2) of SUBTOTAL and subtract:

\$38.00

TOTAL FEES ENCLOSED: \$ 38.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiencies only) now or hereafter relative to this application and the resulting Patent under Rule 20, or credit any overpayment to our Deposit Account 13-0398, for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee, and any previous statement read to the contrary is hereby revoked.

Date: Dec 23, 1994


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SUBTOTAL:

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\$38.00

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